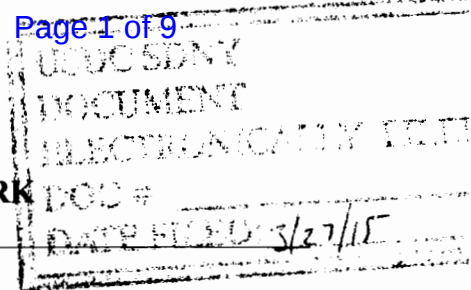


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**



<p>ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>AMNEAL PHARMACEUTICALS, LLC and AMNEAL PHARMACEUTICALS OF NEW YORK, LLC,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">C.A. No. 12-cv-08115-TPG-GWG</p>
<p>ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>TEVA PHARMACEUTICALS USA, INC., and BARR LABORATORIES, INC.,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">C.A. No. 12-cv-08060-TPG-GWG</p>
<p>ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>IMPAX LABORATORIES, INC. and THORX LABORATORIES, INC.,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">C.A. No. 12-cv-08317-TPG-GWG</p>
<p>ENDO PHARMACEUTICALS INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>ACTAVIS INC. and ACTAVIS SOUTH ATLANTIC LLC,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">C.A. No. 12-cv-08985-TPG-GWG</p>

<p>ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,</p> <p>Plaintiffs,</p> <p>v.</p> <p>IMPAX LABORATORIES, INC.,</p> <p>Defendant.</p>	<p>C.A. No. 13-cv-00435-TPG-GWG</p>
<p>ENDO PHARMACEUTICALS INC. and GRÜNENTHAL GMBH,</p> <p>Plaintiffs,</p> <p>v.</p> <p>ACTAVIS INC., ACTAVIS SOUTH ATLANTIC LLC, and WATSON PHARMACEUTICALS, INC.,</p> <p>Defendants.</p>	<p>C.A. No. 13-cv-00436-TPG-GWG</p>
<p>ENDO PHARMACEUTICALS INC.,</p> <p>Plaintiff,</p> <p>v.</p> <p>ROXANE LABORATORIES, INC.,</p> <p>Defendant.</p>	<p>C.A. No. 13-cv-03288-TPG</p>
<p>ENDO PHARMACEUTICALS INC.,</p> <p>Plaintiff,</p> <p>v.</p> <p>RANBAXY LABORATORIES LTD., RANBAXY INC., AND RANBAXY PHARMACEUTICALS INC.,</p> <p>Defendants.</p>	<p>C.A. No. 13-cv-04343-TPG</p> <p>C.A. No. 13-cv-08597-TPG</p>

**STIPULATION AND ORDER REGARDING
U.S. PATENT NO. 8,309,122 AND U.S. PATENT NO. 8,329,216**

Whereupon plaintiff Endo Pharmaceuticals Inc. (“Endo”) and defendants Actavis Inc., Actavis South Atlantic LLC, and Watson Pharmaceuticals, Inc. (collectively, “Actavis”); Amneal Pharmaceuticals, LLC and Amneal Pharmaceuticals of New York, LLC (collectively, “Amneal”); Impax Laboratories, Inc. (“Impax”); Ranbaxy Laboratories Ltd., Ranbaxy Inc., and Ranbaxy Pharmaceuticals Inc. (collectively, “Ranbaxy”); Roxane Laboratories, Inc. (“Roxane”); Teva Pharmaceuticals USA, Inc. and Barr Laboratories, Inc. (collectively, “Teva”); and ThoRx Laboratories, Inc. (“ThoRx”) (collectively “Defendants”) wish to narrow the issues for trial, they make the following stipulations:

Each Defendant stipulates that its Accused Tablets satisfy each limitation of each ’122 and ’216 patent claim asserted against them (as set forth in Exhibit A) except that Defendants dispute:

1. That their Accused Tablets satisfy the AUC and Cmax “food effect” limitations (recited in claims ’122 claim 20, and ’216 claims 40, 42, 50, 54, 78, 79, 80, and 82); and
2. That any one person has or will directly infringe the methods of ’122 claim 20, and ’216 claims 40, 42, 82, and that any Defendant has or will indirectly infringe the methods of ’122 claim 20, and ’216 claims 40, 42, 82; and
3. That the Accused Tablets are “designed to provide” certain *in vivo* characteristics or performance (as incorporated in the asserted claims that depend from claims 49, 55 and 66 of the ’216 patent).

Endo need not present any proof of infringement at trial that Defendants’ Accused Tablets satisfy any claim limitation not in dispute as recited above.

Endo stipulates that:

1. Kathy D. Webster et al., *In Vitro Studies on the Release of Morphine Sulfate from Compounded Slow-Release Morphine-Sulfate-Capsules*, 3(5) International Journal of Pharmaceutical Compounding 409 (Sept./Oct. 1999) (DTX0028) discloses at least: compounded formulations of morphine sulfate comprising hydrophilic materials or gelling agents; morphine tablets that provide a controlled release

dissolution profile; and placement of a morphine controlled release composition in an *in vitro* dissolution test.

2. U.S. Patent No. 5,549,912 (DTX0042) discloses at least: hydrophilic materials or gelling agents; a matrix formulation comprising oxycodone that provides a controlled release dissolution profile; oxycodone tablets that provide a controlled release dissolution profile; and placement of an oxycodone controlled release composition in an *in vitro* dissolution test using the basket method at 100 rpm.
3. U.S. Patent No. 6,294,195 (DTX0047) discloses at least: hydrophilic materials or gelling agents; multiparticulate dosage forms comprising morphine that provide a controlled release dissolution profile; placement of a morphine controlled release composition in an *in vitro* dissolution test using the paddle method at 100 rpm.
4. The prior art disclosed 2 mg, 5 mg, and 10 mg doses of immediate release oxymorphone tablets; analgesic efficacy of immediate release oxymorphone tablet; administration of an immediate release oxymorphone tablet; and providing an immediate release oxymorphone tablet.
5. International Publication No. WO 01/08661 (DTX0054) discloses at least: hydrophilic materials or gelling agents; a matrix formulation comprising oxycodone that provides a controlled release dissolution profile; oxycodone tablets that provide a controlled release dissolution profile; and placement of an oxycodone controlled release composition in an *in vitro* dissolution test using the basket method at 100 rpm.
6. U.S. Patent No. 5,958,452 (DTX0045) discloses at least: a hydrophobic matrix formulation comprising oxycodone, morphine, hydromorphone, or tramadol that provide controlled release dissolution profiles; tablets comprising oxycodone, morphine, hydromorphone, or tramadol that provide a controlled release dissolution profile; and placement of a controlled release composition comprising oxycodone, morphine, hydromorphone, or tramadol in an *in vitro* dissolution test using the basket or paddle method at 100 rpm.
7. U.S. Patent No. 5,662,933 (DTX0043) discloses at least: hydrophilic materials or gelling agents; a matrix formulation comprising albuterol that provides a controlled release dissolution profile; albuterol tablets that provide a controlled release dissolution profile; placement of an albuterol controlled release composition in an *in vitro* dissolution test.
8. U.S. Patent No. 4,990,341 (DTX0040) discloses at least: hydrophilic materials or gelling agents; a matrix formulation comprising hydromorphone that provides a controlled release dissolution profile; hydromorphone tablets that provide a controlled release dissolution profile; and placement of a hydromorphone controlled release composition in an *in vitro* dissolution test using the paddle method at 100 rpm.

Endo and Defendants have entered this stipulation as part of their continued good faith efforts to narrow the issues for trial. Endo and Defendants agree that they will not use this stipulation as a basis for any claim, allegation, or assertion that any party has not sufficiently narrowed the issues of infringement and validity or not acted in good faith throughout that process.

Stipulated and agreed:

DATED: March 27, 2015



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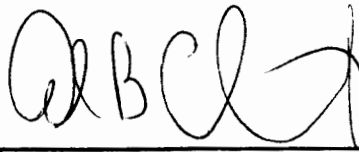
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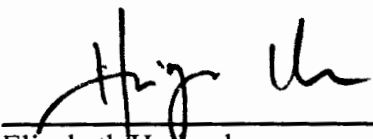
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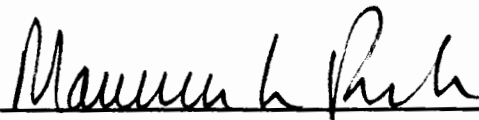
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SO ORDERED:

This 27th day of March, 2015

Thomas P. Griesa

**HONORABLE THOMAS P. GRIESA
UNITED STATES DISTRICT JUDGE**

Exhibit A

Defendant	'122 Patent Claims	'216 Patent Claims
Actavis CRF (13-cv-436)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 80, 82
Amneal CRF (12-cv-8115)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 62, 64, 71, 73, 74, 78, 80, 82
ThoRx CRF (12-cv-8317)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 80, 82
Impax CRF (13-cv-435)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71
Teva CRF (12-cv-8060)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 62, 64, 71, 73, 74, 78, 79, 80, 82
Ranbaxy CRF (13-cv-8597)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 79, 80, 82
Actavis Non CRF (12-cv-8985)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 80, 82
Roxane Non CRF (13-cv-3288)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 79, 80, 82
Ranbaxy Non CRF (13-cv-4343)	2, 3, 19, 20	1, 22, 40, 42, 50, 54, 57, 62, 64, 71, 73, 74, 78, 79, 80, 82